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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: MARK E. ZAPPI, ET AL.

ART UNIT: 1724

SERIAL NO.: 09/837,189

EXAMINER: CINTINS, I.C.

FILING DATE: APRIL 19, 2001

FOR: ON-SITE BIOLOGICAL TREATMENT OF CONTAMINATED FLUIDS

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

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DEC 18 2002  
TC 1700 MAIL ROOM

SIR:

Responsive to the Election of Species Requirement dated November 20, 2002, Applicants elect, albeit with traverse from Group I, water; from Group II, kenaf, and from Group III, TNT for further prosecution at this time.

**REMARKS**

The Examiner has required an election of species in the above-identified application, specifically, election of one of each group of the following species is required:

- Group I: contaminated fluid species (e.g., water, air, etc.);
- Group II: cellulose-based material species (e.g., hay, wood chips, peat, nut shells, kenaf, etc.); and
- Group III: contaminant species (e.g., TNT, phenols, ketones, cadmium, mercury, nitrate, phosphate, etc).

In compliance with the election of species requirement Applicants have elected with traverse the fluid species of water (Claims 1-14), the cellulose-based material of kenaf (Claims 1-14), and the contaminant species of TNT (Claims 1-9 and 11-14) for further prosecution at this time.